

THE GRAND JURY CHARGES:

INTRODUCTION

At various times material to this indictment, the Defendants:

MICHAEL LEON BELL; GUSTAVO BENITEZ-BARREUTA, a.k.a. "Guache";
[REDACTED] ENRIQUE CARDONA, JR., a.k.a. "Ricky"
"Gordo"; [REDACTED]
[REDACTED] AARON GARCIA DELTORO; VICTOR HUGO ESPINO-OLVERA; JOSHUA
CHRISTOPHER ESQUIVEL, a.k.a. "JJ"; [REDACTED] CARLOS
HERIBERTO HERNANDEZ JONGUITUD, a.k.a. "Lentes"; ELIAS ANTONIO
HERNANDEZ; [REDACTED]
[REDACTED] MARIA GUADALUPE RIVERA-
GARCIA, a.k.a. "Guacha"; CARLOS ALBERTO ZAMUDIO;

and others known and unknown, were members of a drug distribution conspiracy to possess with intent to distribute and to distribute more than five (5) kilograms of cocaine; more than (500) grams of methamphetamine, heroin, and other illegal narcotics. The drug distribution network of this conspiracy reached from the United States/Mexico border to numerous distributors in the Austin, Texas area.

Telephones were utilized extensively by members of the conspiracy in order for co-conspirators to coordinate drug transactions. Co-conspirators would learn when drugs were available, the quantity and quality of those drugs, the price to be charged, and the location where the transaction could be conducted.

Objective of the Conspiracy

The objective of the conspiracy was to make money for the co-conspirators from the sale of controlled substances without being caught by law enforcement. In order to ensure that conspirators maximized their chances of avoiding detection by law enforcement, a number of protective measures were utilized in order to defeat tactics which law enforcement might utilize to uncover and curtail their illegal activities. These protective measures included the use of coded

language over the telephone; the use of cell phones that could be easily discarded and/or placed under false names and addresses; and, the use of multiple vehicles. In addition to protective measures regarding phones, co-conspirators exercised protective measures while driving to and from drug-related meetings. These measures included being very vigilant for any law enforcement surveillance and conducting "heat checks" by making sudden evasive maneuvers to detect any law enforcement surveillance following them. Co-conspirators would look at and into surrounding vehicles to determine if they might be unmarked police vehicles monitoring their movements.

Coded Language

Coded language was commonly utilized during drug-related phone calls in an effort to make the drug-related nature of the phone calls less obvious. Suppliers and customers would use abbreviated numbers to indicate the quantity and price for cocaine.

The type of drug ordered would also be indicated by separate code words. Cocaine would sometimes be referred to as "trabajo" (work); "blanca" (white); "mitad" (half); "pintura" (paint); "trocka/troquita" (truck); "perico" (parakeet); "apples;" "pan" (bread); "llantas" (tires); "dove;" "vaca" (cow); "bacerros" (calves); "suaves" (soft ones); or "white girl."

Amounts of drugs would be indicated by words such as "mitad" (half); "½ a car" for ½ kilogram; "cebolla" (onion) or "esquina" (corner) for an ounce; "pelota" (ball) for 1/8 ounce; "Nine" or "nine pack" for ¼ kilogram; "baby" for 4 ounces; "quadros" (squares) for 1 kilogram; michelda for ½ kilogram. Good quality drugs would be referred to "bonitas" (pretty ones); "escalitas" (scales); "hard;" "avion" (airplane); and, bad quality as "crumbles" or "reebok."

Methamphetamine would often be referred to as "ventanas" (windows); "windows computer;" "ice;" "hielo" (ice); "glass;" "windshield;" and, "frios" (cold ones) among other terms.

Heroin was at times referred to as “chino” (china); “Moreno” (brown); “trocka” (truck); and, “black.”

Cash or currency was referred to as “papeles” (papers); “titulos” (titles); “cheques” (checks); and, “mostaza” (mustard).

Cell Phones

The use of cell phones made it easier for co-conspirators to defeat tactics utilized by law enforcement to uncover their activities. Co-conspirators frequently obtained cell phones under false names and addresses or anonymous identities, since, unlike a home telephone, a cell phone does not need to be connected to a specific address. Suppliers would frequently change their cell phones which made it more difficult for law enforcement to keep up with each conspirator’s currently utilized telephone number. When co-conspirators suspected that their previously used cell phone telephone number might have been compromised, such as when one of their customers was arrested, they could easily quit using or drop a cell phone and quickly obtain a new cell phone.

COUNT ONE

Conspiracy to Possess with Intent to Distribute and to Distribute Five (5) kilograms or more of Cocaine, Five Hundred (500) grams or more of Methamphetamine and Heroin [21 U.S.C. §846{841(a)(1)&(b)(1)(A, B & C)}]

Beginning in or around January 2017 and continuing until on or about the date of this Indictment, in the Western District of Texas, the Defendants,


MICHAEL LEON BELL (1)
GUSTAVO BENITEZ-BARREUTA (2)
 a.k.a. “Guache”

[REDACTED]

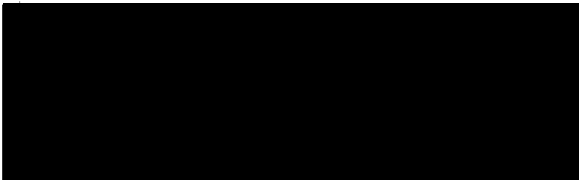
ENRIQUE CARDONA, JR. (4)
 a.k.a. “Ricky” “Cordo”

[REDACTED]

AARON GARCIA-DELTORO (7)
VICTOR HUGO ESPINO-OLVERA (8)
JOSHUA CHRISTOPHER ESQUIVEL (9)
a.k.a. "JJ"


CARLOS HERIBERTO HERNANDEZ-JONGUITUD (11)
a.k.a. "Lentes"

ELIAS ANTONIO HERNANDEZ (12)


MARIA GUADALUPE RIVERA-GARCIA (16)
a.k.a. "Guacha"

CARLOS ALBERTO ZAMUDIO (17)

did knowingly, unlawfully and willfully combine, conspire, confederate and agree with each other and others both known and unknown to the Grand Jury to Possess with Intent to Distribute and to Distribute Five (5) kilograms or more of a mixture and substance containing a detectable amount of cocaine; Five Hundred (500) grams or more of a mixture and substance containing methamphetamine; and, a mixture and substance containing a detectable amount of heroin, all controlled substances in violation of Title 21, United States Code, Sections 846 {841(a)(1) & 841(b)(1)(A & C)}.

OVERT ACTS

In furtherance of the conspiracy and in order to effect the objects thereof, the Defendants and their co-conspirators, known and unknown to the Grand Jury, committed and caused to be committed one or more of the following overt acts, among others, in the Western District of Texas and elsewhere:

OA 1: On or about January 5, 2017, CARLOS HERIBERTO HERNANDEZ JONGUITUD supplied a Confidential Source, working for law enforcement, with one (1) ounce of a mixture and substances containing a detectable amount of cocaine.

OA 2: On or about March 27, 2017, CARLOS HERIBERTO HERNANDEZ JONGUITUD supplied J. T., with 2.979 kilograms of cocaine.

OA 3: On or about May 31, 2017, GUSTAVO BENITEZ-BARREUTA delivered approximately four (4) kilograms of cocaine to MICHAEL LEON BELL and [REDACTED] at Nomad's Bar located at 1213 Corona Drive, Austin, TX.

OA 4: On or about June 1, 2017, GUSTAVO BENITEZ-BARREUTA delivered approximately two (2) kilograms of cocaine to MICHAEL LEON BELL and [REDACTED] at Nomad's Bar located at 1213 Corona Drive, Austin, TX.

OA 5: On or about June 26, 2017, GUSTAVO BENITEZ-BARREUTA obtained approximately four (4) kilograms of cocaine from [REDACTED] and then subsequently delivered approximately three (3) kilograms of cocaine to MICHAEL LEON BELL and [REDACTED] at Nomad's Bar located at 1213 Corona Drive, Austin, TX.

OA 6: On or about August 8, 2017, GUSTAVO BENITEZ-BARREUTA met with [REDACTED] and AARON DEL TORO and delivered approximately ¼ kilogram of cocaine. Law enforcement agents conducted a traffic stop on [REDACTED] vehicle and seized .225 kilograms of cocaine from [REDACTED] and DEL TORO.

OA 7: On or about September 15, 2017, law enforcement agents conducted a traffic stop of [REDACTED] in Rockwall, TX and seized approximately [REDACTED] kilograms of cocaine. Law enforcement determined that [REDACTED] supplied the cocaine for delivery to a distributor in the Cleveland, OH area.

OA 8: On or about October 27, 2017, agents intercepted a series of text messages between [REDACTED] and GUSTAVO BENITEZ-BARREUTA that was translated from Spanish to English using words to the effect of:

[REDACTED] "How are you on work?" BENITEZ-BARREUTA: "It gets to me today or tomorrow . . . Why do you need some?" [REDACTED] "3 if it is good."

OA 9: On or about October 28, 2017 agents intercepted a series of phone calls between GUSTAVO BENITEZ-BARREUTA and [REDACTED] discussing the arrival of a vehicle loaded with narcotics and containing concealed compartments at 301 West Louis Henna Blvd., Austin, TX. The following conversation between GUSTAVO BENITEZ-BARREUTA contacted [REDACTED] involved receiving directions on opening concealed compartments that was translated from Spanish to English using words to the effect of:

BENITEZ-BARREUTA: "Which one am I supposed to open first?" [REDACTED]

[REDACTED] "The one in the front." BENITEZ-BARREUTA: "Did they send a video or picture?" [REDACTED] "Picture, and the video is for the back." BENITEZ-BARREUTA: "Ok, tell them that you've found the one in the front already." [REDACTED]

[REDACTED] "I'll come back before I call them." Through surveillance, law enforcement agents confirmed the presence of both BENITEZ-BARREUTA's and [REDACTED] vehicles at this location.

OA 10: While awaiting delivery of cocaine on or about October 28, 2017, agents intercepted a conversation between [REDACTED] and GUSTAVO BENITEZ-BARREUTA translated from Spanish to English using words to the effect of:

[REDACTED] "Did the product arrive and did it look good? . . . I need 3 kilograms of the good kind and if it was good, how much are you asking?" BENITEZ-BARREUTA: "It's here and the price is \$24,500." [REDACTED] "I can get it somewhere else at 24." BENITEZ-BARREUTA: "If you can buy three I'll give them to you at \$24,000 each."

OA 11: On or about November 5, 2017, agents intercepted a phone call between

GUSTAVO BENITEZ-BARREUTA and [REDACTED] that was translated from Spanish to English using words to the effect of:

BENITEZ-BARREUTA: "Your friend, if I get more, would he go down." [REDACTED]

[REDACTED] "I don't know. If you want me to ask him to see..." BENITEZ-BARREUTA: "Yes because I need like six." BENITEZ-BARREUTA: "Ask him how much lower he would go."

[REDACTED] "[A]lright." On the same day law enforcement agents then observed BENITEZ-BARREUTA arrive at 508 East Howard Lane, Austin, TX and meet with [REDACTED] and further intercepted conversations indicated that BENITEZ-BARREUTA ultimately obtained one (1) kilogram of cocaine of the six (6) originally requested.

OA 12: On or about November 6, 2017, agents intercepted a series of text messages between GUSTAVO BENITEZ-BARREUTA and [REDACTED] [REDACTED] texted BENITEZ-BARREUTA that was translated from Spanish to English using words to the effect of:

[REDACTED] "Can you do two and a half, or not. Let me know[?]" BENITEZ-BARREUTA: "I only have half a kilogram of cocaine but its good quality but it's crumbled." On or about November 7, 2017, [REDACTED] calls BENITEZ-BARREUTA that was translated from Spanish to English using words to the effect of:

[REDACTED] "Hello, he needs one." BENITEZ-BARREUTA: "He needs one?" [REDACTED] "Yes." BENITEZ-BARREUTA: "Oh, Mike?" [REDACTED] "Yes." BENITEZ-BARREUTA: "Alright, let me get on it over here." [REDACTED] "Please, how long will it be?" BENITEZ-BARREUTA: "Well, look, give me like an hour."

OA 13: On or about January 28, 2018 CARLOS HERIBERTO HERNANDEZ-JONGUITUD called JOSHUA CHRISTOPHER ESQUIVEL in a call that was translated from

Spanish to English using words to the effect of:

HERNANDEZ tells ESQUIVEL: "I just met the white girl. Just want to know if you want to hang out." ESQUIVEL: "Yeah, I'm [unintelligible] shit all I got is money for like a baby." ESQUIVEL: "Is it, is it different?" HERNANDEZ: "Way different." ESQUIVEL: "Well, yeah, um let me get a baby." HERNANDEZ: "A half is that ok or not." ESQUIVEL: "Well I'm mean shit bro if you want to do something like that its cool but I can't be rushed . . . cause you know shit, I just bought that fucking whole everything from you just drive by it." HERNANDEZ: "Yeah, which, which one?" ESQUIVEL: "The windows. . . uh shit well I still got all that." HERNANDEZ: "Yeah I forgot about the windows . . . how many days do you need. That way I can say some average." ESQUIVEL: "I just need the nine pack if anything. If you just give me a nine pack, I'll have it in a couple of days." HERNANDEZ: "Ok that's fine. I'll see you tonight." ESQUIVEL: "All right." HERNANDEZ: "If I don't see you tonight, then I'll see tomorrow in the morning but I already got it."

OA 14: On or about February 26, 2018, CARLOS HERIBERTO HERNANDEZ-JONGUITUD contacts CARLOS ALBERTO ZAMUDIO in a call that was translated from Spanish to English using words to the effect of:

ZAMUDIO: "Hello." HERNANDEZ: "Are you busy?" HERNANDEZ: "A-Ha. Okay, because they were going to...going to... I was about to buy a "michelada," and I don't know if you would want some." ZAMUDIO: "A what?" HERNANDEZ: "I said if you would want a Michelada." ZAMUDIO: "What is michelada?" HERNANDEZ: "A Michelada." ZAMUDIO: "Ah. Yes, Yes. Yes, I would want some." HERNANDEZ: "A half. Like a half." ZAMUDIO: "A-ha." HERNANDEZ: "Mm-Hmm." ZAMUDIO: "Right now, I cannot...Uh... chat, but tomorrow I'll... I'll call you."

OA 15: On or about March 2, 2018, JOSHUA CHRISTOPHER ESQUIVEL texts CARLOS HERIBERTO HERNANDEZ-JONGUITUD in a call that was translated from Spanish to English using words to the effect of:

ESQUIVEL: "Can U do me a half for 12800," HERNANDEZ then calls ESQUIVEL and tells him: "Yeah, are you going to have that up front? Cause I need to pay for it." ESQUIVEL: "I mean yeah, cause I got somebody that wants some too and I got his money too." HERNANDEZ: "OK, let's make a deal." HERNANDEZ: "So you want that for that number?" ESQUIVEL responds: "Yeah." HERNANDEZ: "OK, I'll go with it." ESQUIVEL: "Alright."

OA 16: On or about April 26, 2018, CARLOS HERIBERTO HERNANDEZ-JONGUITUD calls ELIAS ANTONIO HERNANDEZ in a call that was translated from Spanish to English using words to the effect of:

E. HERNANDEZ: "What's up?" C. HERNANDEZ: "Hey dude the man already called and that he is ready with the black one. C. HERNANDEZ: "With the truck, the truck." E. HERNANDEZ: "Do you want me to call my brother?" C. HERNANDEZ: "Yeah, that way you can be ready . . . [G]o tell your brother to go drop the money to you and I'll give you a call when I'm ready." Approximately 15 minutes later E. HERNANDEZ calls C. HERNANDEZ and says "He was still asleep and he said that he wants to see it first." C. HERNANDEZ: "I need to go pick them up . . . and to pick it up we have to pick it up over there in San Antonio . . . remember, we told the guy we was gonna drop the money." E. HERNANDEZ: "Alright well let me tell him." Approximately three (3) hours later C. HERNANDEZ calls E. HERNANDEZ and asks: "What did your brother say?" E. HERNANDEZ: "He told me that they want to . . . he wants to know that it's going to be good." C. HERNANDEZ: "They're not going to git rid of nothing if we don't make a down payment. . . . tell him if he is interested on the business or not, if not, I'll sell it to the other

people.”

OA 17: On or about June 2, 2018, VICTOR HUGO ESPINO-OLVERA calls CARLOS HERIBERTO HERNANDEZ-JONGUITUD in a call that was translated from Spanish to English using words to the effect of:

ESPINO: “What’s up buddy . . . ?” HERNANDEZ: “Are you gonna want that?” ESPINO: “I can’t hear you, what are you saying?” HERNANDEZ: “If you were still going to want the uh ice?” ESPINO: “For sure.” HERNANDEZ: “Ok, how much are you going to give him, three?” ESPINO: “No, I’m not going to be able to do three.” HERNANDEZ: “Well you said that yesterday.” ESPINO: “Nah, I said between two and three remember?” HERNANDEZ: “Ok then.” ESPINO: “I never assured you three.” HERNANDEZ: “Let me talk to him and see if he wants to. How much, how much do you want to give him?” ESPINO: “Huh?” HERNANDEZ: “How much do you want to give him?” ESPINO: “Two pesos buddy the most buddy.”

OA 18: On or about June 3, 2018, agents intercepted a series of calls between VICTOR HUGO ESPINO-OLVERA, CARLOS HERIBERTO HERNANDEZ-JONGUITUD and a Luis LNU brokering an exchange of methamphetamine. Law enforcement agents observed a transaction between Luis LNU and SAUL MONTROYA-LOPEZ, in one vehicle, and ESPINO and ENRIQUE CARDONA, JR., in another. Agents conducted a traffic stop of the vehicle occupied by ESPINO and CARDONA and located approximately two (2) kilograms of methamphetamine.

OA 19: On or about June 28, 2018, law enforcement agents conducted a traffic stop of [REDACTED] and located approximately 76.2 grams of cocaine; 3.2 grams of suspected methamphetamine; and approximately \$4,521 in U.S. Currency.

OA 20: On or about, July 13, 2018, Round Rock Police Department responded to a welfare check report of unattended children at the apartment of MARIA GUADALUPE RIVERA-

GARCIA and upon entering the apartment to determine whether children were in danger, located approximately 4.6 kilograms of methamphetamine. RIVERA arrived shortly afterwards and agents located an additional 157.34 grams of a mixture and substance containing a detectable amount of cocaine in her vehicle and approximately \$64,445 in U.S. Currency.

OA 21: On or about July 13, 2018, agents intercepted a telephone call between CARLOS ALBERTO ZAMUDIO and CARLOS HERIBERTO HERNANDEZ-JONGUITUD in a call that was translated from Spanish to English using words to the effect of:

ZAMUDIO: "Hello." HERNANDEZ: "Carlitos?" ZAMUDIO: "What happened?"
 HERNANDEZ: "They are going to be ready at seven . . . um, do you think you can have six?"
 ZAMUDIO: "Not right now but well, for Sunday, yes." HERNANDEZ: "No...but how much do you have, right now?" ZAMUDIO: "Five." HERNANDEZ: "Oh... okay, uh... [pause] do you need it?" ZAMUDIO: "It's uh, [stammers] nah, I mean I can hold off until Monday, or Sun... I mean, I can wait for awhile." HERNANDEZ: "Okay, let me check, either way withdraw them in, look, in case, I will give you, if I have left, but withdraw them and... just have them on hand with you." ZAMUDIO: "Okay, alright, then."

All in violation of 21 U.S.C., Sections 846 {841(a)(1), and 841(b)(1)(A, B & C)}.

QUANTITY OF CONTROLLED SUBSTANCE INVOLVED IN THE CONSPIRACY

The quantity of the mixtures or substances containing Cocaine, Methamphetamine and Heroin involved in the conspiracy and attributable to each Defendant as a result of each Defendant's own conduct and as a result of the conduct of other conspirators reasonably foreseeable to each Defendant is as follows:

DEFENDANT	QUANTITY	STATUTE
MICHAEL LEON BELL (1)	5 kilograms or more cocaine	21 U.S.C. §841(b)(1)(A)
GUSTAVO BENITEZ-BARREUTA (2)	5 kilograms or more cocaine	21 U.S.C. §841(b)(1)(A)
[REDACTED]	500 grams or more of cocaine	21 U.S.C. §841(b)(1)(B)
ENRIQUE CARDONA, JR. (4)	500 grams or more of methamphetamine	21 U.S.C. §841(b)(1)(B)
[REDACTED]	5 kilograms or more cocaine	21 U.S.C. §841(b)(1)(A)
[REDACTED]	500 grams or more of cocaine	21 U.S.C. §841(b)(1)(B)
AARON GARCIA-DELTORO (7)	500 grams or more of cocaine	21 U.S.C. §841(b)(1)(B)
VICTOR HUGO ESPINO-OLVERA (8)	500 grams or more of methamphetamine	21 U.S.C. §841(b)(1)(B)
JOSHUA CHRISTOPHER ESQUIVEL (9)	500 grams or more of cocaine and 500 grams or more of methamphetamine	21 U.S.C. §841(b)(1)(B)
[REDACTED]	500 grams or more of cocaine	21 U.S.C. §841(b)(1)(B)
CARLOS HERIBERTO HERNANDEZ-JONGUITUD (11)	5 kilograms or more cocaine and 500 grams or more of methamphetamine and heroin.	21 U.S.C. §841(b)(1)(A & C)
ELIAS ANTONIO HERNANDEZ (12)	500 grams or more of cocaine	21 U.S.C. §841(b)(1)(B)
[REDACTED]	500 grams or more of cocaine	21 U.S.C. §841(b)(1)(B)
[REDACTED]	500 grams or more of methamphetamine	21 U.S.C. §841(b)(1)(B)
[REDACTED]	5 kilograms or more of cocaine	21 U.S.C. §841(b)(1)(A)
MARIA GUADALUPE RIVERA-GARCIA (16)	500 grams or more of methamphetamine	21 U.S.C. §841(b)(1)(A)

CARLOS ALBERTO ZAMUDIO (17)	1 kilogram or more of cocaine	21 U.S.C. §841(b)(1)(B)
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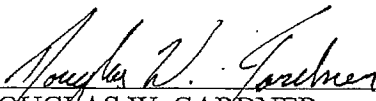
All in violation of Title 21, United States Code, Section 846.

A TRUE BILL:

JOHN F. BASH.
United States Attorney

ORIGINAL SIGNATURE
REDACTED PURSUANT TO
E-GOVERNMENT ACT OF 2002

By:


DOUGLAS W. GARDNER
Assistant United States Attorney